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COURT UNITED STATES DISTRICT COURT  
COUNTY OF MIDDLE DISTRICT OF NORTH CAROLINA

THE SCO GROUP, INC.

Plaintiff(s)

against

INTERNATIONAL BUSINESS MACHINES CORP.

Defendant(s)

Index No. 2:03CV0294  
DISTRICT OF UTAH

**AFFIDAVIT OF  
SERVICE OF SUBPOENA**

IN A CIVIL CASE

NORTH CAROLINA  
STATE OF ~~MISSISSIPPI~~ COUNTY OF *Guilford*That *deponent* is over 18 years of age and resides at *Greensboro, NC*  
That on *JANUARY 14, 2006* at *8:27 P.M.*, at *2200 WILLOW ROAD, GREENSBORO, NORTH CAROLINA*

deponent served the within subpoena on

SS. The undersigned, being duly sworn, deposes and says; deponent is not a  
witness therein named,  
OTIS WILSON

## IN A CIVIL CASE

INDIVIDUAL

1. ☒

by delivering a true copy to said witness personally; deponent knew the person so served to be the witness described in said subpoena.

CORPORATION

2. ☐

a corporation, by delivering thereat a true copy to personally, deponent knew said corporation so served to be the corporation witness and knew said individual to be thereof.

SUITABLE AGE PERSON

3. ☐

by delivering thereat a true copy to and discretion. Said premises is witness'—actual place of business—dwelling place—usual place of abode—within the state.

AFFIXING TO SUBPOENA, ETC.

4. ☐

by affixing a true copy to the door of said premises, which is witness'—actual place of business—dwelling place—usual place of abode—within the state. Deponent was unable, with due diligence to find witness or a person of suitable age and discretion thereat, having called there

MAILING TO  
RECEIVER  
USE WITH 3 OR 45A. ☐

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to witness at witness' last known residence, at said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.

MAILING TO  
BUSINESS  
USE WITH 3 OR 45B. ☐

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class postpaid envelope properly addressed to witness at witness' actual place of business, at in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the witness.

DESCRIPTION  
SEE WITH  
1, 2, OR 3☒

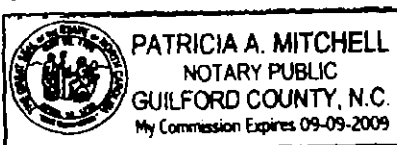
<input checked="" type="checkbox"/> Male	<input type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
<input type="checkbox"/> Female	<input checked="" type="checkbox"/> Black Skin	<input type="checkbox"/> Brown Hair	<input checked="" type="checkbox"/> Balding	<input type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 100-130 Lbs.
	<input type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blonde Hair	<input checked="" type="checkbox"/> Mustache	<input type="checkbox"/> 36-50 Yrs.	<input type="checkbox"/> 5'4"-5'8"	<input type="checkbox"/> 131-160 Lbs.
	<input type="checkbox"/> Brown Skin	<input type="checkbox"/> Gray Hair	<input checked="" type="checkbox"/> Beard	<input checked="" type="checkbox"/> 51-65 Yrs.	<input checked="" type="checkbox"/> 5'9"-6'0"	<input checked="" type="checkbox"/> 161-200 Lbs.
	<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.

Other identifying features:

At the time of said service, deponent paid (tendered) in advance \$ 50.00

the authorized traveling expenses and one day's witness fee.

Sworn to before me on

*January 19<sup>th</sup> 2006**Patricia A. Mitchell*

*Steve Mitchell*  
STEVE MITCHELL  
License No. *1721*